

NATIONAL EPA-TRIBAL SCIENCE COUNCIL

Conference Call Roll Call and Key Discussion Points Monday, July 18, 2016 2:00 – 3:30 p.m. EDT

Roll Call

Tribal Caucus

- ☐ Region 1: Theo Willis (Passamaquoddy Tribe at Pleasant Point)
- ☐ Region 1 *Alternate*: Trevor White (Passamaquoddy Tribe of Indian Township)
- ☐ Region 2: Neil Patterson (Tuscarora Nation)
- ☐ Region 4: Katie Tiger (Eastern Band of Cherokee Indians)
- ☒ Region 5: Jeffrey Mears (Oneida Tribe of Indians of Wisconsin)
- ☐ Region 6: Curtis Munoz (Kiowa Tribe)
- ☒ Region 7: Carol Kriebs (Sac and Fox Nation)
- ☐ Region 8: Mike Durglo (Confederated Salish and Kootenai Tribes)
- ☐ Region 8 *Alternate*: Scott Clow (Ute Mountain Ute Tribe)
- ☐ Region 9: Carley Whitecrane (Karuk Tribe)
- ☐ Region 9 *Alternate*: Javier Silva (Sherwood Valley Tribal Environmental Program)
- ☐ Region 10: Lee Juan Tyler (Shoshone Bannock Tribes)
- ☐ Region 10 *Alternate*: Ladd Edmo (Shoshone Bannock Tribes)
- ☐ Region 10 (Alaska): Orville Huntington (Tanana Chiefs Conference)

EPA Caucus

- ☐ Region 1: Robert Hillger
- ☒ Region 2: Kai Tang
- ☐ Region 4: TBD
- ☒ Region 5: Kathy Mayo
- ☐ Region 5 *Alternate*: Carole Braverman
- ☐ Region 6: TBD
- ☐ Region 7: Brenda Groskinsky
- ☒ Region 7 *Alternate*: Amber Tilley
- ☐ Region 8: Patti Tyler
- ☒ Region 9: Destinee Cooper
- ☒ Region 10: Lon Kissinger
- ☐ AIEO: Mary Powell
- ☒ OAR: Lesley Jantarasami
- ☐ OCHP: Ted Coopwood
- ☐ OCSPP: Karen Hamernik
- ☒ OEI: Beth Jackson
- ☒ OLEM: David Charters
- ☒ ORD: David Jewett
- ☒ ORD: John McKernan
- ☐ OW: Felicia Wright

Support Personnel

- ☒ Monica Rodia, TSC Executive Secretary
- ☒ Mya Sjogren, NPD Liaison
- ☒ Kristen LeBaron, Support Contractor (SCG)

Other Attendees/Invited Speakers

- ☒ Ken Bailey
- ☒ Michael Broder
- ☒ Mary Greene
- ☒ Andrew Kozich
- ☒ Cynthia McOliver
- ☒ Marian Olsen
- ☒ Rosalva Tapia
- ☒ Nicolle Tulve
- ☒ Kelly Wright

Action Items

1. TSC members will send any comments regarding the June face-to-face meeting minutes to Monica Rodia as soon as possible.
2. Once the list of tribal science concerns identified by the National Tribal Caucus (NTC) has been finalized, Monica will send the list to the NTC and TSC members.

3. TSC members will provide their comments on the *Draft Guidelines for Human Exposure Assessment* to Michael Broder (broder.michael@epa.gov) and Nicolle Tulve (tulve.nicolle@epa.gov).
4. TSC members will contact David Piantanida (piantanida.david@epa.gov), Dave Jewett, Curtis Munoz and/or Monica with feedback regarding which tools may be of tribal interest and/or the content of future Tools Cafés.
5. Cynthia McOliver will provide links to the July tribal webinar and September tribal grantees meeting webcast.

Key Discussion Points

TSC Meeting Minutes

- The finalized May teleconference minutes were distributed to the TSC members.
- The June face-to-face meeting minutes were distributed to the TSC members for comments, which need to be sent to Monica as soon as possible. It is important for those who attended to review the minutes.

EPA Caucus Update

- The EPA Caucus met via teleconference the previous week and discussed the June face-to-face meeting.
 - Dave Jewett and Kristen LeBaron have collated their information about the list of tribal science concerns identified during the TSC's joint session with the NTC, and once Monica receives Curtis' list from the tribal point of view, she will send the collated list to the NTC for review and comments. Monica also will send the list to the TSC members.
 - During the face-to-face meeting, David Piantanida provided information about EPA tools of tribal interest; he is seeking input regarding upcoming EPA Tools Cafés. Jerome Paulsen presented about the Pediatric Environmental Health Specialty Units.
- The EPA Caucus also received information about an upcoming tribal webinar and tribal grantees meeting.

Tribal Caucus Update

- The Tribal Caucus has not met since the June face-to-face meeting.
- The White House has recognized Mike Durglo as a "Champion of Change for Climate Equity." Mike has been working on environmental protection for his tribe since the late 1970s and also works to engage youth, which is extremely critical.

Consultation Opportunity: Draft Guidelines for Human Exposure Assessment (Michael Broder, Nicolle Tulve and Marian Olsen)

- Tribal consultations regarding the *Draft Guidelines for Human Exposure Assessment* will be held on July 21 and July 25 from 2:00–4:00 p.m. EDT. The docket, although closed, is available at www.regulations.gov/docket?D=EPA-HQ-ORD-2015-0684. An announcement regarding the peer review of the draft guidelines is forthcoming.
- The current guidance document for human exposure assessment, *Guidelines for Exposure Assessment*, was published in 1992; the document reflected the state of the science at that time but now is outdated. A decision was made a decade ago to update the guidelines.

- The current *Draft Guidelines for Human Exposure Assessment* incorporate advances in exposure science that have occurred since 1992, benefit from lessons learned, address recommendations from the National Academy of Sciences, and described policies related to exposure assessment that the Agency has implemented since the previous guidelines were released. The draft guidelines have undergone internal Agency and external interagency reviews. The public comment period for the guidelines recently closed.
- The draft guidelines address a traditional approach to exposure assessment within the risk assessment process. Each chapter of the document explores a component of the risk assessment process (e.g., principles of exposure science/assessment, planning and scoping and problem formulation, exposure assessment data, computational modeling). Two chapters that may be of interest to the TSC are Chapter 3 (Planning and Scoping and Problem Formulation) and Chapter 4 (Consideration of Lifestyles, Vulnerable Groups and Populations of Concern in Exposure Assessments).
- Lon Kissinger asked whether the guidelines include the use of heritage or historic exposure scenarios; tribes are interested in information relative to their treaty rights (i.e., in terms of the consumption rates and resource use present at the time treaties were signed). Nicolle responded that the guidelines do not prescribe any specific approach; they provide elements that must be considered when performing an exposure assessment to support and risk assessment within the risk assessment paradigm. Historical data can be used if that is the most appropriate approach. Michael emphasized that the guidelines are not rules, regulations or mandates; heritage and historical information may be used.
- Lon asked how the guidelines will relate to risk assessment guidance for Superfund. Nicolle explained that this document will not supersede any existing, specific regulatory guidance for EPA programs and offices. It only will supersede the 1992 document. Nicolle agreed with Lon's assessment that the guidelines are advisory in nature. Marian Olsen pointed out that the draft guidelines include links and information from other parts of EPA that may be useful.
- TSC members can provide their comments to Michael and Nicolle, who will forward the comments to the federal docket, which currently is closed.

TSC Science Webinar—Monitoring of Water Temperature Trends in Focal Coldwater Fish Habitats of the Keweenaw Bay Indian Community (KBIC) (Andrew Kozich)

- The KBIC, located in the Upper Peninsula of Michigan, is a federally recognized Ojibwa (Chippewa) tribe whose fisheries are of cultural, recreational and economic importance. Many coldwater streams are present in the heavily wooded area surrounding the reservation.
- The Treaties of 1842 and 1854 preserved the continuation of tribal rights on ceded land and established the L'Anse Indian Reservation, respectively.
- The Keweenaw Bay Ojibwa Community College (KBOCC) is a fully accredited college established in 1975 that offers five associate degree programs to approximately 100 enrolled students at two campuses. The college's Environmental Science Program offers 20 to 25 majors on average each year.
- The Environmental Science Program has five goals designed to foster an awareness of the interconnectedness between humans and the natural world, as well as the relationships among ecosystem components, so that students have the cultural and foundational knowledge to understand environmental issues. The research project addresses each of the five goals.
- The rationale behind the research project is that fish are an important cultural resource to the tribe, and coldwater species are very sensitive to temperature increases, which can be caused by climate change and upstream land-use activities (e.g., logging, mining). Treaty rights, sovereignty and environmental justice are additional factors to consider.

- The objectives of the research are to deploy long-term continuous water temperature profiling devices throughout the community's home territory; offer students valuable research and professional experiences; strengthen relationships between KBIC departments; provide valuable findings to KBIC leaders and relevant regional/national agencies and organizations; and contribute meaningfully to the scholarly literature related to fish habitat suitability, environmental change, ecological restoration and population dynamics.
- The research is being carried out in water bodies (e.g., rivers, streams, lakes) in the Great Lakes region near Lake Superior's Keweenaw Bay. Some of the water bodies are located off of the reservation, but tribal members maintain their use of these water bodies through treaty rights.
- The sensors and data-logging units (loggers) are self-contained, programmable, battery-operated units.
- Valuable data have been collected with few difficulties, and the findings will help to guide future fish-stocking efforts and harvest times for brook trout and walleye. Andrew Kozich illustrated sample data from Portage Lake, an important spear-fishing site for the tribe, and Dakota Creek.
- An additional outcome of the research is student engagement; students earn stipends and internship credits for their work on the research project, have been able to develop their required Capstone projects, and have presented their work at a conference.
- The research has contributed to the development of curricula for several courses, including a fisheries biology and management course.
- The community also has benefited from the research. Fishing is an important tradition for KBIC families, many of whom rely on productive fisheries for income or sustenance. Furthermore, fishing represents an exercise of treaty rights, and fisheries management represents an expression of sovereignty.
- The next steps for the project are to collect and analyze critical warm-weather data (summer 2016) and re-deploy the instruments to collect data during the fall of 2016. The researchers have applied for continued funding to expand the project to include a greater emphasis on offshore and nearshore monitoring.
- David Charters asked whether the data could be collected remotely. Andrew explained that the loggers must be physically retrieved to collect the data. Loggers with remote capabilities are not within the research project's budget.
- Carol Kriebs asked whether the researchers test the fish for toxins. Andrew responded that although this particular research project does not, other KBOCC researchers perform these analyses through a partnership with Michigan Technological University.

TSC Business Discussion

- The TSC will discuss its followup actions regarding the NTC's list of tribal science concerns.
- David Piantanida has requested that the TSC to provide feedback regarding which tools may be of tribal interest and about the content of future EPA Tools Cafés. Tribal input is needed to ensure that tools developed by EPA's Office of Research and Development (ORD) are of use to tribes. Mya Sjogren is working on compiling a list of tools within ORD. TSC members can provide feedback to David Piantanida, Dave Jewett, Curtis or Monica.
- The Interstate Technology and Regulatory Council—which comprises representatives from federal agencies, tribes and states who examine technology issues—seeks tribal representatives to serve on two of its technology teams: (1) Evaluation of Innovative Methane Detection Technologies and (2) TPH Risk

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Evaluation at Petroleum-Contaminated Sites. The council meets once or twice a year and provides funding for travel to these meetings. Dave Jewett will send information about these openings to the TSC members via email.

- The TSC Fall 2016 Business Meeting will be held in Arizona; Curtis will provide updates as they are available.

Announcements

- An upcoming tribal webinar on July 26, 2016, will feature the Tribal ecoAmbassadors Program; Cynthia will send the link to the webinar. The tribal grantees meeting on September 20–21, 2016, will be held via webcast; Cynthia will provide a link to register for the webcast.
- Jeff Mears provided information about the EPA-Tribal Partnership Groups at the recent Region 5 Regional Tribal Operations Committee (RTOC) meeting. The Region 6 RTOC is meeting this week, and the Region 7 RTOC is meeting next week. Any information from RTOC meetings is welcomed in the *EPA Tribal Science Bulletin*.
- The next *EPA Tribal Science Bulletin* will spotlight the Region 8 Representatives so that Mike Durglo's recognition can be highlighted. TSC members are free to suggest items of interest for the *Bulletin*.

Next TSC Teleconference

- The next TSC teleconference will be held on August 15 from 2:00 to 3:30 p.m. EDT.